IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

	_ §	
FRESENIUS KABI USA, LLC and	§	
FRESENIUS KABI DEUTSCHLAND	§	
GMBH	§	
	§	
Plaintiffs,	§	Civil Action No. 1:18-cv-00665-LY
	§	
v.	§	PATENT CASE
	§	
CUSTOPHARM, INC.,	§	
	§	
Defendant.		

UNOPPOSED MOTION TO EXTEND DEADLINE TO RESPOND TO <u>DEFENDANT'S COUNTERCLAIMS</u>

Custopharm filed its Answer with counterclaims on May 1, 2019 to plaintiffs' Amended Complaint. Dkt. 40-1 (sealed pleading). After conferring about the schedule, the parties have agreed, subject to the Court's approval, to set a deadline of June 5, 2019, for Plaintiffs to answer or otherwise respond to Custopharm's counterclaims. This extension is sought to allow time to evaluate new counterclaims and not for the purpose of delay.

Accordingly, Plaintiffs request an extension of time till June 5, 2019 to answer or otherwise respond to Custopharm's counterclaims.

Filed: May 10, 2019

/s/ Cabrach Connor

Cabrach J. Connor
Texas Bar No. 24036390
cab@connorkudlaclee.com
Connor Kudlac Lee PLLC
609 Castle Ridge Road, Suite 450
Austin, Texas 78746
512.777.1254 (main)
888.387.1134 (fax)

John T. Bennett

Massachusetts Bar No. 648464

Samuel Sherry

Massachusetts Bar No. 667527

GOODWIN PROCTER LLP

100 Northern Avenue

Boston, Massachusetts 02210

Tel.: +1 617 570 1000 Fax.: +1 617 523 1231

jbennett@goodwinlaw.com ssherry@goodwinlaw.com

Attorneys for Plaintiffs Fresenius Kabi USA, LLC and Fresenius Kabi Deutschland GmbH

/s/ Roshan Shrestha

Travis C. Barton

State Bar No. 00790276

MCGINNIS LOCHRIDGE LLP

600 Congress Avenue, Suite 2100

Austin, Texas 78701

(512) 495-6000 (telephone)

(512) 495-6093 (facsimile)

tcbarton@mcginnislaw.com

Stephen R. Auten, Esq.

Richard T. Ruzich, Esq.

Roshan P. Shrestha, Ph.D., Esq.

TAFT STETTINIUS & HOLLISTER

LLP

111 E. Wacker Drive, Suite 2800

Chicago, Illinois 60601-3713

Tel: 312.527.4000

Fax: 312.966.8551

sauten@taftlaw.com

rruzich@taftlaw.com

rshrestha@taftlaw.com

Attorneys for Defendant Custopharm, Inc.

CERTIFICATE OF SERVICE

I certify that on May 10, 2019, I electronically filed the above documents with the Clerk of Court using CM/ECF, which will send electronic notification of such filings to all registered counsel.

/s/ Cabrach Connor Cabrach J. Connor